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The Arizona **M.D. Update**

A Bi-Monthly Update of the Arizona Medical Digest

A Letter from the Executive Director

Barry A. Cassidy, Ph.D., PA-C

The Arizona Medical Board continually investigates ways to be more effective and efficient in its service to the public and the Arizona physician community. While this Board has made great strides recently in streamlining the adjudication process, it continues to search for fairness and consistency in the investigation of complaints against physicians. Recently, the Board reviewed its processes for investigating complaints against physicians. One area in the Board's spotlight is the Medical Consultant review process.

Recent modifications now ensure the Medical Consultant Review process reflects an evidence-based system for complaint intake, initial complaint review and triage, and subsequent investigative techniques. The new system is standardized and allows for increased consistency and fairness during the investigation.

The driving force behind this review process is Beatriz Garcia Stamps, MD, MBA, FACOG, the Board's new Chief Medical Consultant. Dr. Stamps has an extensive background in peer review regulatory medicine and organizational process assessment (her biography is included in this newsletter for your review). Dr. Stamps will continue to work with staff to refine the investigative review process and maximize the contributions of the Board's medical consultants.

As testament to the outstanding quality of the Arizona Medical Board, I am happy to announce the recognition of one of our own. Arizona Medical Board member William R. Martin, III, M.D. will receive the American Medical Association Foundation Leadership Award for young physicians. The Board and Board Staff wish to congratulate Dr. Martin on this exceptional achievement.

The Arizona Medical Board

remains committed to protecting the rights of licensed physicians while providing information to Arizona citizens. As it has in past years, the Board is actively working with recently elected Governor Napolitano and a new state legislature this session. Through positive relationship building and frequent communication, the Board is making every effort to ensure its voice is heard during this time of diminishing resources.

In addition to the bi-annual mailing of the *Arizona Medical Digest*, the *Arizona Medical Digest Update* will be published bi-monthly and will appear on the Board's website. Please help spread the word about this update to friends and colleagues that may not be frequent visitors to www.azmdboard.org



ARIZONA DOCTOR TO RECEIVE NATIONAL AWARD

Arizona physician and Arizona Medical Board member William R. Martin, III, M.D. will receive the American Medical Association Foundation Leadership Award. The award, to be presented March 2, 2003 in Washington, D.C., honors just 25 young physicians for demonstrated strong non-

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BOARD MEETING DATES

April 2-3, 2003

June 11-12, 2003

August 13-14, 2003

October 8-9, 2003

December 10-11, 2003

News from the Arizona Hospital and Healthcare Association

Course Provides Information to Physicians on "HIPAA in the Hospital"

On April 14, 2003, the Health Insurance Portability and Accountability Act (HIPAA) Privacy regulations will go into effect. In an effort to assist physicians with understanding the impact of HIPAA, a special task force of the Arizona Hospital and Healthcare Association (AzHHA) has developed a web-based course that will be available to physicians in March 2003. This course will specifically outline how HIPAA impacts physicians *when they are in the hospital setting*. Using interactive scenarios and fact/fiction exercises, the course provides information on HIPAA requirements for:

- Oral, written and electronic communication about Protected Health Information (PHI).
- Use and disclosure of Protected Health Information (PHI).
- Patient's rights for viewing, amending and restricting their health information.
- Enforcement and provider sanctions.
- Use and disclosure of health information in special circumstances (i.e. research, communicable diseases, law enforcement, etc.)
- Security measures that permit only appropriate access to patient information.

The course will be accessible through www.carelearning.com and easily viewed from a dial-up connection (i.e. AOL) to the Internet. Pricing for the course will be as follows:

Base Fee (includes 100 seats)	\$300
101-500 seats	Base Fee plus \$2 per seat
Over 500 seats	Base Fee plus \$1 per seat
Individual Purchase	\$15

Note: Price provides access to the course for one year. AzHHA will work with organizations that purchase in multiples so they will be able to use careLearning's Administrative Management System to track users.

For further information, please contact AzHHA's Educational Services Department at edservices@azhha.org or 602-445-4356.

careLearning is a non-profit partnership organization operated by over 40 state hospital and healthcare associations throughout the United States. The careLearning website has over 175 courses available and an administrative management system for tracking train-

BOARD PROVIDES MEDICAL DIRECTORY

The Arizona Medical Board recently sent its annual *Medical Directory and Resource Handbook* to each of its in-state licensees. Although no longer statutorily mandated, the Board realized the benefit in distributing a directory to the community and found the production of a CD-Rom version to be the most cost effective.

In producing the *Directory* this year, the Board included all actively licensed physicians with Arizona office addresses on file. Physicians who are actively licensed but do not have an Arizona office address can be found on the Board's website, www.azmdboard.org.

For future consideration, or to up-

date information on file with the Board, physicians may mail or fax an office address or PO Box address and any additional changes to:

Arizona Medical Board
Renewals Department
9545 E. Doubletree Ranch Rd.
Scottsdale, AZ 85258
Fax: (480) 551-2704

EXECUTIVE DIRECTOR DESIGNATES NEW CHIEF MEDICAL CONSULTANT

Barry A. Cassidy, Ph.D., P.A.-C, Executive Director for the Arizona Medical Board, recently named Beatriz Garcia Stamps, MD, MBA, FACOG as the Board's Chief Medical Consultant. Dr. Stamps, an experienced surgeon and regulatory analyst, "brings a new and exciting dimension to the Board," said Cassidy. "I welcome the insight she can provide as the Board moves into a new era of physician regulation."

Dr. Stamps received her medical degree from Texas Tech University Health Sciences Center in

Lubbock, Texas. She completed postgraduate training in obstetrics and gynecology at St. Joseph's Hospital in Phoenix, Arizona and later, received her Masters of Business Administration from Arizona State University Executive MBA Program. Dr. Stamps began her career in a private Ob-Gyn practice and after receiving her MBA, was employed in various financial advisor and healthcare consultant roles. Dr. Stamps has also been involved in numerous professional activities such as the American Board of Obstetrics and Gynecology and

American College of Obstetrics and Gynecology and is a member of several organizations including the American Medical Association, the Arizona Medical Association, and Maricopa County Medical Society. She is a frequent speaker to associations on health issues and is a past recipient of the Hispanic Women's Conference Outstanding Woman Award.

DR. MARTIN HONORED BY AMA

(Continued from page 1)

clinical leadership skills within organized medicine or community affairs and have an interest in further developing these skills within organized medicine. When questioned about the award, Martin, 39, said, "I am extremely honored to be one of this year's recipients. While it recognizes many of my past accomplishments, it also spurs continued growth and development."

Martin also expressed his pleasure being the only Arizona physician and only orthopaedic physician chosen. His application, which listed a balance of local and national leadership roles, was one of the 75 applications the American Medical Association received.

William R. Martin, III, M.D. is a practicing Orthopaedic Surgeon at Canyon Orthopaedic Surgeons, Ltd., in Phoenix. He currently serves on the Board of Directors of the Arizona Kidney Foundation and the Dr. Charles E. Gavin Memorial Foundation. Dr. Martin has been a member of the National Association for the Advancement of Colored People since 1973. He is a member of the American Academy of Orthopaedic Surgeons, the American Medical Association, the Arizona Medical Association, the Arizona Orthopaedic Association, the Maricopa County Medical Society and the Western Orthopaedic Association.

Questions, Comments, Concerns???

You may contact the Arizona Medical Board at (480) 551-2700 or by email at questions@azmdboard.org

Question of the Month

Q: As a licensed Arizona physician, what are my duties to report other physicians to the Arizona Medical Board?

A: According to A.R.S. § 32-1451 (A)(B), it is the physician's duty to "... report to the board any information that appears to show that a doctor of medicine is or may be medically incompetent, is or may be guilty of unprofessional conduct or is or may be mentally or physically unable safely to engage in the practice of medicine." Further "It is an act of unprofessional conduct for any doctor of medicine to fail to report as required by this section."

The Arizona Medical Digest will provide more detailed information on this subject in future editions.

IMPAIRED? YOUR STATE MEDICAL BOARD CAN HELP.

Physicians carry an enormous amount of stress, from patients, healthcare management organizations, and stress from a solo or group practice setting, and are often ill equipped to handle the pressures outside the practice of medicine. As a result, many physicians experience depression, anxiety, alcoholism and drug dependencies, rage, and other self-destructive behaviors representing an inability to manage life. If you are a physician who suffers from substance dependency, substance abuse, and/or co-existing mental health problems that may affect your ability to safely practice medicine, the Arizona Medical Board's Monitored Aftercare Program (MAP) can help.

MAP is an Arizona Medical Board sponsored program, operated by Greenberg and Sucher, P.C. to monitor the recovery of allopathic physicians who suffer from these problems. Physicians may participate in MAP on a confidential basis if they self-report to the program and have no related criminal charges, adverse patient consequences, or statutory violations. Information on these physicians is not available to the public and a physician's participation in the program is not made known to the Arizona Medical Board unless the terms of the MAP contract are broken.

Protection of public safety is of paramount importance. Any allopathic physician who is unsafe to

practice will be removed from practice through a Board order or voluntary inactivation until such time as they are again able to safely practice medicine.

There are currently over 100 participants in MAP and usually, with 5 years monitoring, most physicians continue their life and career substance free and healthy.

For more information on the Monitored Aftercare Program, contact Greenberg and Sucher, P.C. at (480) 990-3111 or at gsmonitoring@msn.com or the Board's Program Coordinators, Kathleen Muller or Lynda Mottram at (480) 551-2716 or (480) 551-2717.

ARIZONA MEDICAL BOARD ADOPTS DISCIPLINARY RULES

During the course of the February 2003 Regular Session meeting, the Arizona Medical Board voted unanimously to adopt disciplinary Rules.

The Arizona Medical Board has broad authority conferred by the Medical Practice Act to discipline physicians. When the Board finds that a physician committed an act of unprofessional conduct, the Board will then decide whether the conduct rises to the level of discipline, or merits a non-disciplinary action. If the conduct warrants discipline, the Board will look to its Rules and consider aggravating and mitigating circumstances, as well as the nature of the complaint.

Although each case is evaluated on its merits, the Rules provide a framework for consistent disciplinary action. A particular case may merit greater or lesser discipline than that contained in Rule, depending on the circumstances of the individual case. Also, two physicians may receive differing discipline even though their cases involve the same issue or conduct. For instance, the Board may review two cases involving a surgical error, but because of mitigating and aggravating circumstances and factual differences in the cases, may impose varying discipline in the two cases. The Board intends that the Rules give the public and phy-

sicians an insight into how the Board determines whether it will impose discipline and what that discipline may be.

The Board will be soliciting public comment on these guidelines in the near future.

Updates will be included in future editions of The Arizona Medical Digest.